

March 19, 2004

Jeremy Arrich
Department of Water Resources
Division of Planning and Local Assistance
P.O. Box 942836
Sacramento, CA 94236-0001

Subject: Comment Letter, State Feasibility Study of the In-Delta Storage Project

Dear Mr. Arrich:

Thank you for the opportunity to comment. This letter is in reply to Department of Water Resources (DWR) email notice, dated February 3, 2004, regarding the release of the "State Feasibility Study of the In-Delta Storage Project." Our comments focus on the water quality aspects of the project. Although the analysis of the project appears to be well-thought out and comprehensive, it does not demonstrate that the proposed project would not harm our ability to supply high-quality drinking water to Santa Clara County.

The Santa Clara Valley Water District (SCVWD) is the wholesale water supplier for over 2.8 million people in Santa Clara County. Approximately 40% of the county's drinking water comes from local supplies; the other 60% of the county's drinking water is imported through the Central Valley Project and the State Water Project from the delta. The SCVWD Board of Directors has passed governance policies which guide our activities. Policy E-2.1.1 states that *The water supply meets or exceeds all applicable water quality regulatory standards in a cost effective manner.* Applying the stated policy of the Board of Directors to the water quality information available, the Santa Clara Valley Water District cannot support this project.

As a member of the California Urban Water Association (CUWA), the SCVWD District was party to the October 9, 2000 water rights protest dismissal agreement and the associated Water Quality Management Plan (WQMP) that CUWA has with Delta Wetlands. These agreements also provided part of the foundation for the State Water Resources Control Board (SWRCB) water rights decision on the Delta Wetlands Project. The agreements include provisions making the terms and conditions binding on any successors in interest. We conclude that the current In-Delta Storage studies are the functional equivalent of a successor project and consequently must meet all the criteria of the agreements.

As stated in CUWA's February 12, 2002 letter, to Bay-Delta Authority Executive Director Patrick Wright (copy attached), decision-makers and others will need an analysis which meets all of the proposed project's water quality requirements and all of its water rights operating restrictions before drawing conclusions regarding project benefits. Based on the information presented in the draft feasibility report, neither the water quality requirements, nor the water rights operating restrictions have been met. Therefore, we cannot support any conclusions regarding project benefits at this time.

Although the analysis presented in the draft In-Delta Storage Program State Feasibility Study was comprehensive and well thought out, we do not feel that the water quality summary found in the Executive Summary, correctly represents the results of the analysis. The modeling to date, by DWR, does not demonstrate that provisions of the Water Quality Management Plan will be met. The project modeling indicates that the specific water quality criteria outlined in the WQMP are violated a significant percent of the time. For example, at the State Water Project intake at Banks Pumping Plant, the organic carbon standard is violated 33% of the time (table 2.5.10), the bromate standard is violated 17% of the time (table 2.5.18), and the TTHM and chloride standard is violated 3% of the time (table 2.5.14 and table 2.5.6). In addition, according to personal communications between Mike Mierzwa at DWR and Rich Losee at Metropolitan Water District (MWD), because project releases are not occurring all the time, the organic carbon standard is violated 60% of the time that water is released from Bacon Island.

On Page 2, of the Water Quality Management Plan, five important Drinking Water Quality Protective Principles are listed. The project described in the draft In-Delta Storage Program State Feasibility Study does not demonstrate clear adherence to any of the Drinking Water Quality Protective Principles. In particular, the project described in the Feasibility Study could cause substantial increases in the cost of water treatment for the SCVWD, may contribute to non-compliance with the total organic carbon removal requirements of the Stage 1, Disinfectants and Disinfection By-Products Rule, and does not "contribute to CALFED's progress toward achieving continuous improvement of Delta drinking water source quality."

Attached are more detailed technical comments regarding aspects of the DWR studies and assumptions related to potential water quality impacts. Because our analysis of the draft report on water quality indicates that the WQMP is significantly violated, we did not conduct a thorough analysis of the economics of the project. We would hope that, if and when, the WQMP criteria are met, the project cost benefit analysis includes any expected increased cost of water treatment to the SCVWD in the cost estimate.

Again, thank you for this opportunity to comment. We appreciate the comprehensive and well-thought out analysis that DWR staff conducted on this project. We do not feel that further analysis of this project is merited. We hope that a similar level of resources can be devoted to the analysis of the other storage projects proposed in the Record of Decision. Based on the water quality information available, the SCVWD cannot support the In-Delta Storage Project.

Sincerely,



Walt Wadlow
Chief Operating Officer, Water Utility

Attachments